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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/566,835

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Yasuhiro Maenishi

2006-0045A

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SUITE 800

WASHINGTON, DC 20006

EXAMINER

NGUYEN, DONGHAI D

ART UNIT

PAPER NUMBER

3729

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DELIVERY MODE

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/566,835	<b>Applicant(s)</b> MAENISHI ET AL.	
	<b>Examiner</b> DONGHAI D. NGUYEN	<b>Art Unit</b> 3729	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10 July 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) 11-21 and 24-31 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10, 22 and 23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 February 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>2/2/06; 9/12/07</u> .   | 6) <input type="checkbox"/> Other: _____                          |

**DETAILED ACTION**

***Election/Restrictions***

1. Applicant's election of Group I, claims 1-10 and 22-23, in the reply filed on July 1, 2008 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)). Thus, claims 11-21 and 24-31 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected inventions, there being no allowable generic or linking claim.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 2-10 and 22-23 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent 6,332,536 to Easton.

Regarding claims 1 and 22, Easton disclose a component verification method and apparatus for verifying, by use of a computer (see Col. 11, lines 37-39), a component taken out by a mounter (600) from a component holder (604) against a component that should be mounted onto a board by said mounter, said component holder holding a plurality of components, wherein the component holder is placed in the mounter with an integrated circuit (IC) tag being attached to said component holder (see Fig. 8), said IC tag storing identification information for

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identifying the components held by the component holder (see Fig. 6), and the component verification method comprises: a position specification step of specifying a placement position on the mounter (600) where the component holder (640) is placed; a read step of reading the identification information from the IC tag attached to the component holder (see Fig. 6 and Col. 11, lines 62-65); and a verification step of verifying (i) the identification information read out in the read step against prescribed component information for identifying a component that should be mounted onto the board (see Fig. 6), and (ii) the placement position specified in the position specification step against prescribed position information indicating a position where the component holder should be placed (see Col. 11, line 65 to Col. 12, line 2).

Regarding claim 2, Easton discloses the placement position of the component holder is specified based on a state of a signal that is outputted from the IC tag via a wireless communication medium (see Fig. 9).

Regarding claim 4, Easton discloses two component holders loaded in a component cassette (702) are placed in the mounter (600), and a positional relationship between the two component holders in the component cassette is further specified by specifying positions of IC tags attached to the respective two component holders, based on a state of a communication with each of the IC tags (see Col. 11, line 59 to Col. 12, line 10).

Regarding claims 5 and 6, Easton discloses the IC tag further stores alternative component information for identifying an alternative component (614) that can serve as an alternative to each of the components held by the component holder, in the read step, the alternative component information is further read from the IC tag attached to the component holder, and in the verification step, the identification information and the alternative component

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information read out in the read step are verified against the prescribed component information by at least one of the following items that are related to the alternative component indicated in the alternative component information is verified against a corresponding item indicated in the prescribed component information: a name; a shape; and a characteristic value (see Col. 12, lines 27-33 and Fig. 3).

Regarding claim 7, Easton discloses a warning step of warning that a wrong component holder is placed in the mounter, in the case where the identification information disagrees with the prescribed component information as a result of the verification performed in the verification step (see Col. 12, lines 4-10).

Regarding claim 8, Easton discloses a plurality of sensors are attached in a plurality of positions on the mounter (600) where the component holder (604) can be placed, said sensors (606) capable of detecting that the component holder has been placed, and in the position specification step, the placement position of the component holder is specified based on a result of the detection of each of the sensors (see Figs. 6 and 9).

Regarding claims 9, 10 and 23, Easton discloses a component number examination method comprising: a component number read step of reading the number of components from the IC tag attached to the component holder; a decrement step of decrementing the number of components read out in the component number read step by one, every time the mounter takes out a component from the component holder for mounting the component onto a board; and a warning step of issuing a warning when the number of components after the decrement in the decrement step becomes less than a predetermined value and a termination step of terminating

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the mounting onto the board by prohibiting the mouter from taking out any components from the component holder, when the number of components after the decrement in the decrement step becomes zero (see Col. 13, lines 10-21).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Easton in view of US Patent 6,157,870 to Gfeller et al.

Regarding claim 3, Easton discloses the component holder is a component tape (702), said new component tape having been newly placed in the mouter, wherein in the read step, identification information for identifying components held by the new component tape is further read from an IC tag that is attached to said new component tape, when the seam is detected in the detection step, and in the verification step, the identification information corresponding to the new component tape read out in the read step is further verified against the prescribed component information (see Figs. 6-8 and Col. 3, lines 42-47); however, Easton does not disclose detecting a seam where the component tape and a new component tape are connected. Gfeller et al teach the detecting a seam (35/43) where the component tape (32, 40) and a new component tape (31, 39) are connected (see Figs. 2-3 and 5) for automatically replacing component tape without any loss in performance or stopping the mouter (see Abstract).

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therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the invention of Easton by utilized the detection step as taught by Gfeller et al for automatically replacing component tape without any loss in performance or stopping the mounter.

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Prior art references cited for their teachings of apparatus and method of verifying component holder.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DONGHAI D. NGUYEN whose telephone number is (571)272-4566. The examiner can normally be reached on Monday-Friday (9:00-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter D. Vo can be reached on (571)-272-4690. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DN  
September 29, 2008

/Donghai D. Nguyen/  
Primary Examiner, Art Unit 3729